

Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 NEAE-00 ACDA-07 AGRE-00

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00

DLOS-06 DOTE-00 EB-08 EPA-01 ERDA-05 FEAE-00

FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00

L-03 NSAE-00 NSC-05 NSF-01 OES-06 OMB-01 PA-01

PM-04 PRS-01 SP-02 SS-15 USIA-06 SAL-01 /130 W

-----251908Z 106131 /53

P R 251652Z MAR 77

FM AMEMBASSY TUNIS

TO SECSTATE WASHDC PRIORITY 6178

INFO AMEMBASSY ALGIERS

AMEMBASSY CAIRO

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY RABAT

AMEMBASSY ROME

AMEMBASSY TRIPOLI

AMEMBASSY OSLO

SECDEF WASHDC

CINCUSNAVEUR

COMSIXTHFLT

CINCEUR

USDOCOSOUTH NAPLES ITALY

S E C R E T TUNIS 2050

CINCUSNAVEUR, COMSIXTHFLT, CINCEUR PASS POLADS

USDOCOSOUTH PASS CINCOSOUTH FOR POLAD

E.O. 11652: GDS

TAGS: PFOR, PLOS, PBOR, LY, IT, TS

SUBJECT: TUNISIA PLANS NEW DRILLING ON CONTINENTAL SHELF

REF: TUNIS 2049

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1. THERE FOLLOWS AN UNOFFICIAL TRANSLATION OF
A TUNISIAN NOTE PRESENTED TO THE ITALIAN EMBASSY IN
TUNIS ON MARCH 19. IT WAS PROVIDED TO THE AMBASSADOR
TODAY BY THE DIRECTOR OF EUROPEAN AND AMERICAN AFFAIRS
OF THE TUNISIAN FOREIGN MINISTRY.

2. BEGIN TEXT: THE MINISTRY OF FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF ITALY AND, REFERRING TO THE AFFAIR OF THE PLATFORM SCARABEO IV WHICH THE COMPANY SAIPEM HAS SENT ON BEHALF OF A FOREIGN GOVERNMENT TO PROSPECT FOR OIL IN A ZONE THAT IS AN INTEGRAL PART OF THE TUNISIAN CONTINENTAL SHELF AND WHICH IS SITUATED INSIDE A CONCESSION AREA ALREADY GRANTED BY TUNISIA TO A CONSORTIUM OF COMPANIES OF WHICH AGIP IS A PART AND REFERRING TO THE EXCHANGE OF CORRESPONDENCE AND NOTES, TO ITALIAN DEMARCHES, AND TOTUNISIA/ITALIAN MEETINGS ON THIS SUBJECT, HAS THE HONOR TO MAKE KNOWN TO IT THE FOLLOWING:

3. COUNTRY TO RENEWED ASSURANCES FROM THE ITALIAN SIDE TO PROCEED WITH DISENGAGING AND WITHDRAWING THE PLATFORM, THE ITALIAN GOVERNMENT AND THE COMPANY SAIPEM HAVE NOT SO FAR HONORED THE ENGAGEMENT WHICH THEY HAVE UNDERTAKEN.

4. THE MINISTRY OF FOREIGN AFFAIRS RECALLS THAT, IN RESPONSE TO ITS NOTE NO. 504 OF 9 FEBRUARY, 1977, TO THE MESSAGE OF THE MINISTER OF NATIONAL ECONOMY TO THE DIRECTOR GENERAL OF ENI OF 16 FEBRUARY, 1977, NOTING THAT THE OPERATIONS UNDERTAKEN CONSTITUTE A FLAGRANT VIOLATION OF THE SOVEREIGN RIGHTS OF TUNISIA ON ITS CONTINENTAL SHELF AND AN INFRACTION OF TUNISIAN LEGISLATION IN FORCE, THE AMBASSADOR OF ITALY IN TUNIS AND THE SAIPEM COMPANY ASKED ON THE 17TH OF
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FEBRUARY, 1977, A MAXIMUM DELAY OF FOUR DAYS TO CAP THE WELL AND WITHDRAW THE PLATFORM. THE TUNISIAN GOVERNMENT AGREED TO THIS DELAY.

5. THE MINISTRY OF FOREIGN AFFAIRS RECALLS AS WELL THAT THE TUNISIAN GOVERNMENT DATED 26 FEBRUARY, 1977, AFFIRMING THAT SAIPEM HAD ALREADY TAKEN MEASURES TO CEASE OPERATIONS AND WAS PREPARING TO WITHDRAW THE SCARABEO IV. THE MESSAGE INDICATED AS WELL THAT SAIPEM "IS HINDERED SOLELY BY CIRCUMSTANCES WHICH ARE KNOWN TO YOU."

6. IN THIS REGARD THE TUNISIAN GOVERNMENT CAN UNDER NO CIRCUMSTANCE ADMIT THAT THE RESPECT AND PRESERVATION OF ITS RIGHTS BE SUBORDINATED BY THE ITALIAN AUTHORITIES TO CONSIDERATIONS LINKED TO THE ATTITUDE OF THIRD GOVERNMENTS WHICH THEY KNOW IN ANY CASE TO BE WITHOUT MERIT.

7. DESPITE THESE EXPLICIT UNDERAKINGS THE ITALIAN SIDE HAS ADOPTED AN ATTITUDE OF PROCRASTINATION, NOTABLY BY THE COMMUNICATION MADE BY HIS EXCELLENCY THE ITALIAN AMBASSADOR THE 22ND OF FEBRUARY, 1977, TO MINISTER HABIB CHATTY, IN THE COURSE OF WHICH, AFTER HAVING CONFIRMED THE CESSATION OF THE DRILLING OPERATION, THE ITALIAN AMBASSADOR SUGGESTED ZTHE POSSIBILITY OF KEEPING THE PLATFORM SCARABEO IV AT ANCHOR (FLOTTAISON)."

8. THE MINISTER RESPONDED TO THE ITALIAN DIPLOMAT THAT "KEEPING THE PLATFORM EVEN AT ANCHOR CAN ONLY EXPOSE ITALY TO A SITUATION IN WHICH ITS ATTITUDE WILL BE CONSIDERED AS PROLONGING THE DISPUTE."

9. IN ADDITION, IN AN INTERVIEW ON THE 7TH OF MARCH WITH THE DIRECTOR OF POLITICAL AFFAIRS FOR EUROPE AND
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AMERICA, THE AMBASSADOR OF ITALY MADE CERTAIN INADMISSIBLE PROPOSALS OF A NATURE WHICH BRINGS INTO QUESTION THE UNDERTAKING OFFICIALLY MADE TO THE TUNISIAN GOVERNMENT.

10. IN VIEW OF THIS SITUATION THE TUNISIAN GOVERNMENT IS JUSTIFIED IN BRINGING INTO QUESTION THE ITALIAN UNDERTAKINGS, ESPECIALLY SINCE CERTAIN INTELLIGENCE INDICATES THAT OPERATIONS HAVE NOT COMPLETELY CEASED.

11. THUS, BY THE CONTRADICTORY CHARACTER OF ITS ATTITUDE AND BY ITS PROCRASTINATIONS, THE ITALIAN GOVERNMENT HAS DEMONSTRATED IN THIS AFFAIR, THE IMPORTANCE OF WHICH THEY ARE AWARE, A BEHAVIOR INCOMPATIBLE WITH THE RULES OF FRIENDSHIP WHICH HAVE ALWAYS GOVERNMENT TUNISIAN-ITALIAN RELATIONS, AND WHICH IS OF A NATURE TO BRING INTO QUESTION TUNISIAN SOVEREIGNTY AS WELL AS ITS VITAL INTERESTS. SUCH AN ATTITUDE SHOWN BY THE ITALIAN GOVERNMENT LESS THAT A YEAR AFTER THE CONCLUSION OF THE TUNISIAN-ITALIAN FISHING AGREEMENT, THE FUNDAMENTAL FACTS OF WHICH THE ITALIAN SIDE IS AWARE, GRAVELY RISKS PREJUDICING RELATIONS BETWEEN TUNISIA AND ITALY.

12. THE MINISTRY OF FOREIGN AFFAIRS AVAILS ITSELF OF THIS OCCASION TO RENEW TO THE EMBASSY OF ITALY THE ASSURANCES OF ITS HIGH CONSIDERATION.

TUNIS, 19 MARCH 1977. END TEXT.
MULCAHY

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To: STATE
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